

Module 6

Workers Compensation



Learning Objectives

After completion of this lesson, participants will be able to:

- ☐ Describe the types of Workers' Compensation benefits
- Describe steps to take when a worker is injured
- Describe keys to identify possible fraud



About Workers' Compensation

☐ The Federal Employees' Compensation Act (FECA), <u>5 USC 8101et seq.</u>, provides compensation benefits to Federal civilian employees (or survivors) for work-related injuries or illnesses

□ Administered by the Department of Labor,
Office of Workers' Compensation Programs
(OWCP)



About Workers' Compensation (con't)

Basic types of benefits:

• Scheduled awards
• Wage loss compensation
• Continuation of Pay (COP) (up to 45 days)
• Medical benefits (including transportation expenses)

Vocational rehabilitation

Survivor benefits if employee dies as a result of injury



Cost of Workers Comp

- Every <u>DAY</u> the Dept. of Defense spends almost 2 million dollars on workers comp
- 80% of this amount goes to "old cases" where the injured employee was never brought back to "it."



What can a supervisor do?

First & Foremost - Prevent injuries

Keep your work area as safe as possible - most workplace injuries are completely avoidable

Enforce all safety rules. Document even verbal warnings about safety violations

Remember, people pay attention to the example you set

Be prepared with hard copy injury forms (CA-1/CA-2/CA-16, CA-17, CA-20) and learn to input into EDI



The Basics

- Establish a safe work environment
- Insure a safety-conscience workforce
- ☐ Get to know your CPAC Injury Compensation Program Administrator (ICPA)
- File claims immediately
- Provide prompt medical attention and caring support to the injured/ill worker

- ☐ Investigate the injury what happened, are others at risk?
- Document the events, actions, conditions, witness accounts
- Restore the worker to productivity as soon as possible
- Maintain a watchtul eye for f



Supervisor's Guide to Worker's Comp

You are the most important link to workers compensation because yo

Know the injured worker and the type of work being performed

Superviso r

Know if the employee was engaged in a work-related activity

Can support or defend the action leading up to the incident



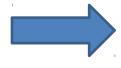
Supervisory Responsibilities



Report injuries to the Injury Compensation Program Administrator (ICPA) immediately



Do not block, stop or impede the filing of a claim;



Report information inconsistent with incident leading up to injury



Challenge a claim you suspect is inconsistent with the work you assigned, false, unlikely, or otherwise questionable!



Be Conscience of...

- The same witness for numerous claims
- A witness that typically would not have been in the area of the accident
- An employee with several OWCP claims, the so called "frequent filer"
- An employee with a recent or pending adverse action or nearing the end of a tour, (i.e., term, tem indefinite appointment).

What to do when injury occurs

Input CA-1/CA-2 into EDI.

even if you don't think it is serious Never prevent an employee from getting medical attention

employee. **By law**, you must furnish these forms.

• Furnish hard copies of forms CA-16, CA-17 & CA-20 to the

clinic, emergency room or private doctor. Ensure employee seeks medical treatment, such as local

Provide immediate, sympathetic caring environment







Follow-up on an injury

Visit place where injury occurred. Make notes of what happened

Speak with witnesses, ask what they saw & heard.

Speak with Safety Officer about what can be done to ensure this injury never happens again



Input claim into EDI

If you need help on EDI input, consult your ICPA (Injury Compensation Program Administrator) in the CPAC office

If you suspect fraud, indicate in EDI that claim will be challenged

Load claim within 48 hours

Don't hold claim waiting for documentation

Army is tracked on how quickly claims get into EDI



CA-1 or CA-2?

- Traumatic injuries are filed using a CA-1
 - √ When a date and time can be specified (cuts, falls, broken bones, etc)
- Occupational illnesses are filed using a CA-2
 - ✓ When an illness or injury happens over the course of a period of time (asthma, carpal tunnel, psychiatric conditions, etc)
- If in doubt- ask your ICPA



Follow up with employee

Phone employee at home

- Ask what limitations doctor placed and why
- When will employee be able to return
- Emphasize light duty, modification of duties
- Emphasize sympathetic caring environment
- If employee must be off more than a week, phone employee every week status
- Remind employee he/she must furnish a₅



ls it "legit" ?

Some Red Flags to be aware of:

- Unexplained time delay in reporting injury or getting medical care
- ☐ There are no witnesses even though injury happened in area where it should have been observed
- Witness frequently serves as witness for other injuries
- Disciplinary action, downsizing, transfer facing employee
- Injury reported immediately after weekend of holiday
- Employee changes account of how injury happened



If you spot a "Red Flag"

- Talk to you IPCA; relay your concerns
- Write down all information you have and give to ICPA
- Army has only ONE opportunity to challenge a suspicious claim, and that is before the claim is adjudicated.





Challenging a Suspicious Claim

- Challenge must be based on facts;
 being a poor performer is not adequate reason
- Your investigation & notes are crucial
- There is no format or form for a challenge,
 - It is simply a narrative write-up of the facts, signed by you or by the ICPA
 - The suspicious claim you don't challenge may become Army' lion dollar claim in the future

Timecards



- Day of injury mark hours missed as LU
- Day <u>after</u> injury, "COP"
 (Continuation of Payment) begins.
 COP does not deduct from employee's leave balances.
- Timecards are marked LT while on COP for the number of days doctor says employee must be off.
- Employee must provide doctor's written statement, with number of days needed to be off. Be sure ICPA





What if COP is used up?

- COP is capped at 45 calendar days
- After 45 days, employee can use own leave; pay continues as usual.
- Employee can use LWOP and apply for "compensation" on a <u>CA-7 form</u>
 - Receives 75% of pay with dependents or 66
 2/3% if no dependents. "Compensation" is non-taxable. Be certain which choice employee wants to make.
- Confer with ICPA.



What if employee returns part-time?

- Employee can either use own leave for hours not worked – or can choose LWOP for those hours and claim "compensation" on a CA-7 form.
- Work closely with ICPA to ensure all steps are followed correctly.



What if employee can't do full duties?

- Sometimes doctor places restrictions on what returning employee can do.
- Must abide by these restrictions!!
- If restrictions are permanent, job may need be assigned to another employee and modified job created for returning employee.
- If restrictions appear unreasonable, work with ICPA to request OWCP
- Get a 2nd medical opinion



Supervisor's final responsibility

- Get injured employee back to work
- If an employee is "out on injury comp" Army pays him. If we don't get employee back, Army pays him for his entire life!!
- If employee returns to work, eventually he retires like the rest of us.
- If employee returns, he is subject to same personnel regulations other employees.



Can't return?

- If employee is never able to meet physical requirements of <u>old</u> job, work with CPAC & ICPA to create a <u>new</u> job within employee's capabilities
- Remember Army is paying employee whether he works or stays



DOD's Pipeline Program

- "Pipeline" provides a billet & pays salary for first 365 days for returning employees who have been out for 90 days or more
- DOD transfers money to your activity on a MIPR
- Designed to assist installations in returning employees to work
- Allows for over-hire authority (first only)



Recap of supervisor's role

- 1. Prevent injuries
- 2. Handle injuries correctly if they occur
- 3. Investigate all facts of injuries and challenge all suspect claims
- 4. Input claim into EDI or give CA-1/CA-2 to ICPA if you have no computer access
- 5. ICPA is your partner in all aspects of Workers Comp
- 6. Getting injured employees back to Army's workforce is a win-win for every the second secon



Electronic Data Interchange (EDI)

- It has been DoD policy since July 2003 to utilize EDI when submitting claims
- DOL will be monitoring agency timeliness for claim submission as a result of SHARE
- Defense Safety Oversight Council (DSOC) will be monitoring DoD agency timeliness and use of EDI for claim submission



Electronic Data Interchange (EDI)

- Claims filed utilizing EDI are electronically transmitted to OWCP from the agency
- Any delay due to internal routing of paper claims and mailing forms to OWCP are eliminated



Electronic Data Interchange (EDI)

Greater use of EDI

Greater number of timely filed claims

Meeting DoD and SHARE goals



Safety First Electronic Reporting (SAFER)

- DOL has made a determination as to which claim data can be shared with an organization's safety office in order to assist in fulfilling OSHA reporting requirements
- EDI/SAFER provides this data to safety in the form of an OSHA 301 notice. This 301 notice provides safety with the data they need to <u>start</u> their reporting and investigations



Safety First Electronic Reporting (SAFER)

- EDI/SAFER is not a replacement for any existing safety applications or requirements
- Unsanitized copies of CA-1s or CA-2s are no longer to be given to the safety office



EDI Information Flow

- Employee reports the injury to his/her supervisor
- Process is started by accessing the EDI website
- Supervisor and employee complete the electronic form, which is transmitted to the ICPA. Supervisors do not need any special access to file the claim electronically, only a computer with internet access



EDI Information Flow

- ICPA receives an email notification of the supervisor's claim submission
- ICPA accesses the EDI application using their User ID and password
- ICPA "authenticates" the form (i.e. verifies employment status, enters appropriate codes, corrects any errors); form is then transmitted to DOL



EDI Information Flow

- If there are no problems with the claim, the ICPA will receive an email with the case number within 2-3 business days
- If there are problems with the claim then the ICPA will receive an email notification of the claim rejection and the reason for the rejection



EDI Forms

The electronic forms can be accessed via the ICUC website: http://cpms.osd.mil/icuc





ICUC Division

Injury and Unemployment Compensation Division

Enter Search



- About Injury Compensation
- About Unemployment Compensation
- Filing Claims Electronically (supervisor's link)
- DIUCS SSO (password required)
- DEFPAC (password required)
- FTP





CPMS Web Policies & Links »



Welcome to ICUC

CPMS H » ICUC

Hot Topics

Death Gratuity for Deployed Civilians

There is a new death gratuity of up to \$100,000, payable to the survivors of an employee who dies of injuries incurred in connection with service with an Armed Force in a contingency operation. Learn more about the unique requirements and procedures related to this payment.

Products & Services

- · DoD Pipeline Program
- Filing Injury Claims Electronically
- Training Opportunities
- Liaison Services
- Injury Compensation (IC)
- What is DefPAC?



This DoD computer system including all relate network devices (specifically including internet ac U.S. Government use. DoD computer systems ma Select OK in order to including to ensure authorized use, for system ma against unauthorized access, and to verify security

After selecting the link, this screen will open. The user will need to read and continue.

operational security. Monitoring includes active attacks by authorized DoD entities to test or verify the security of this system. During monitoring, information may examined, recorded, copied and used for authorized purposes. All information, including personal information, placed on or sent over this system may be monitored. Use of this DoD computer system, authorized or unauthorized, constitutes consent to monitoring. Unauthorized use may subject you to criminal prosecution. Evidence of unauthorized use collected during monitoring may be used administrative, criminal or other adverse action.

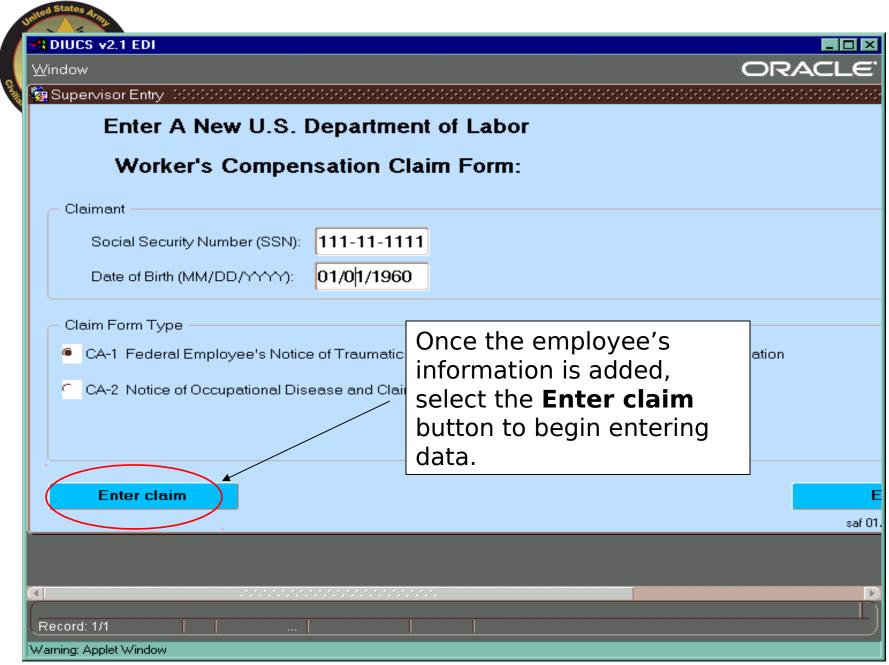
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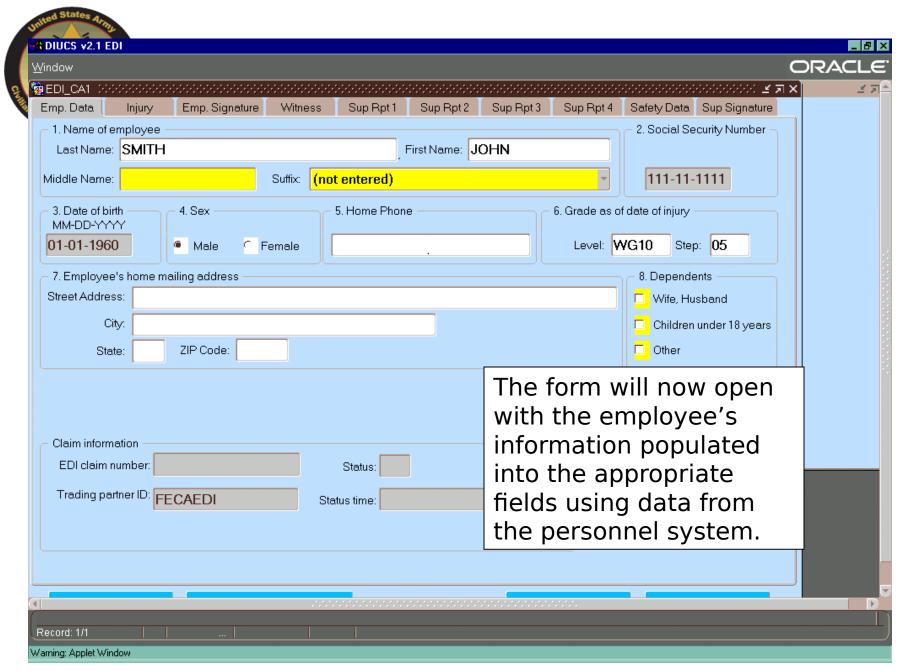
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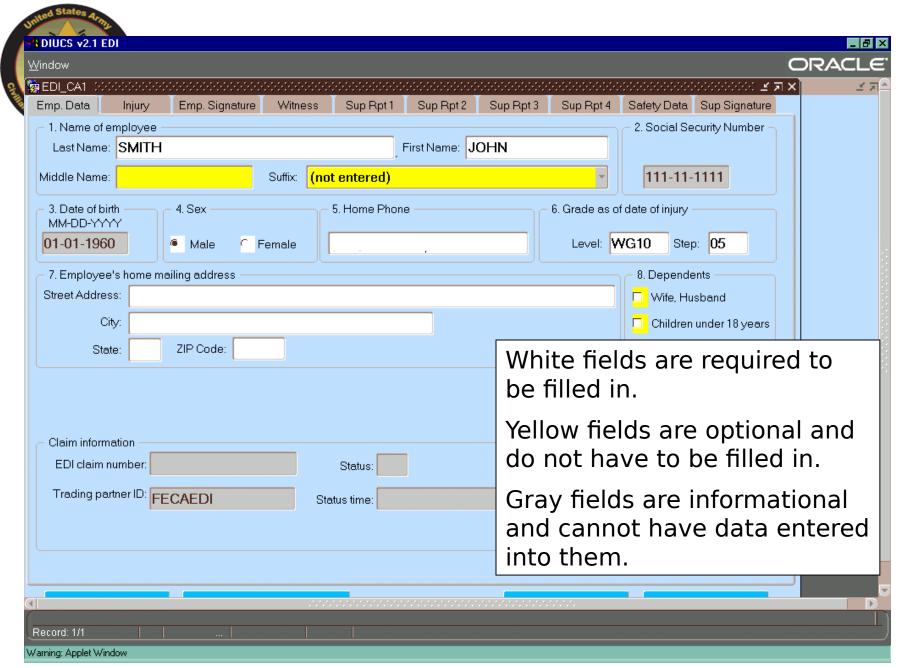
Enter claim

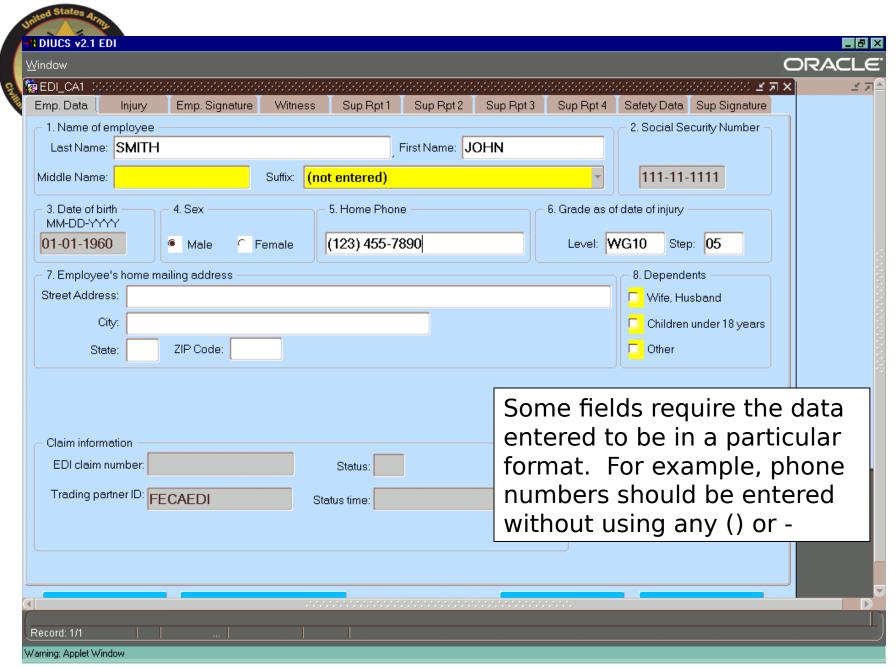
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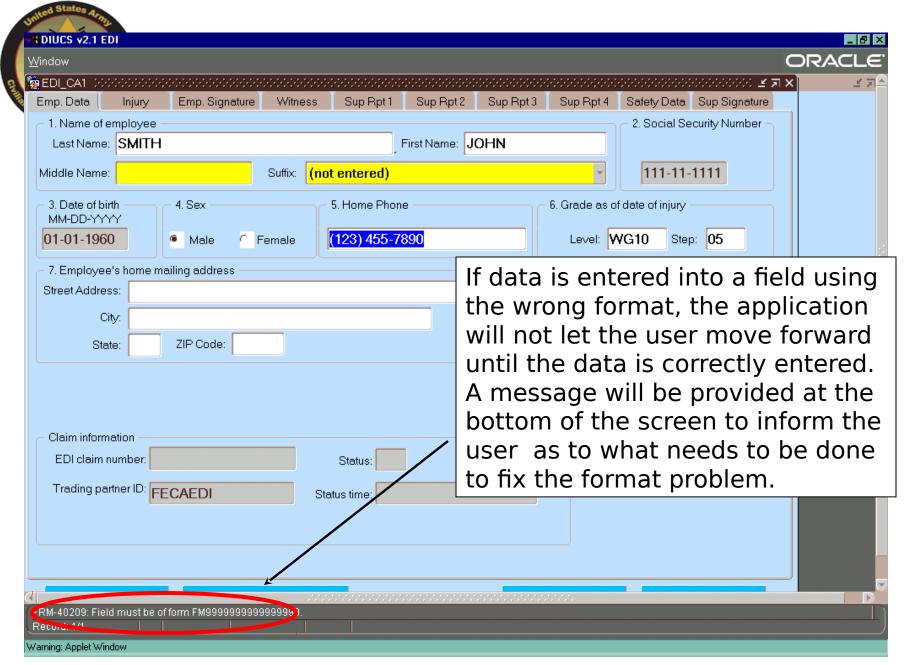
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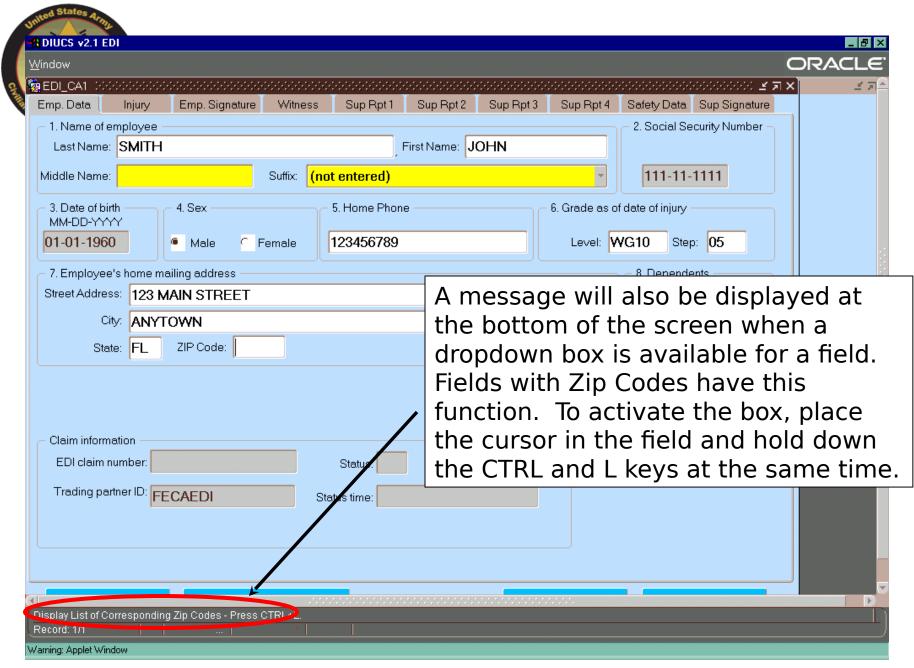


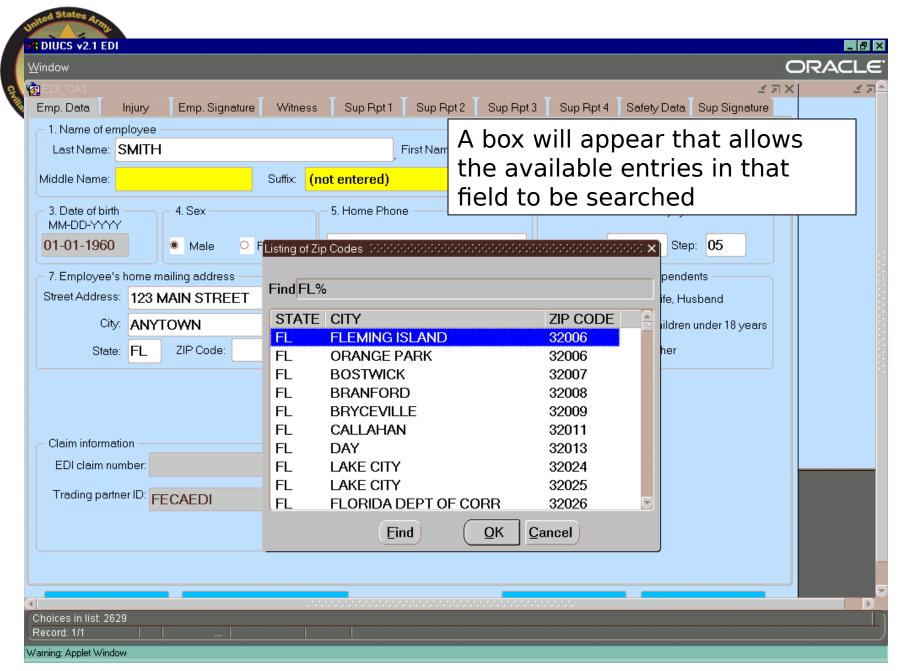


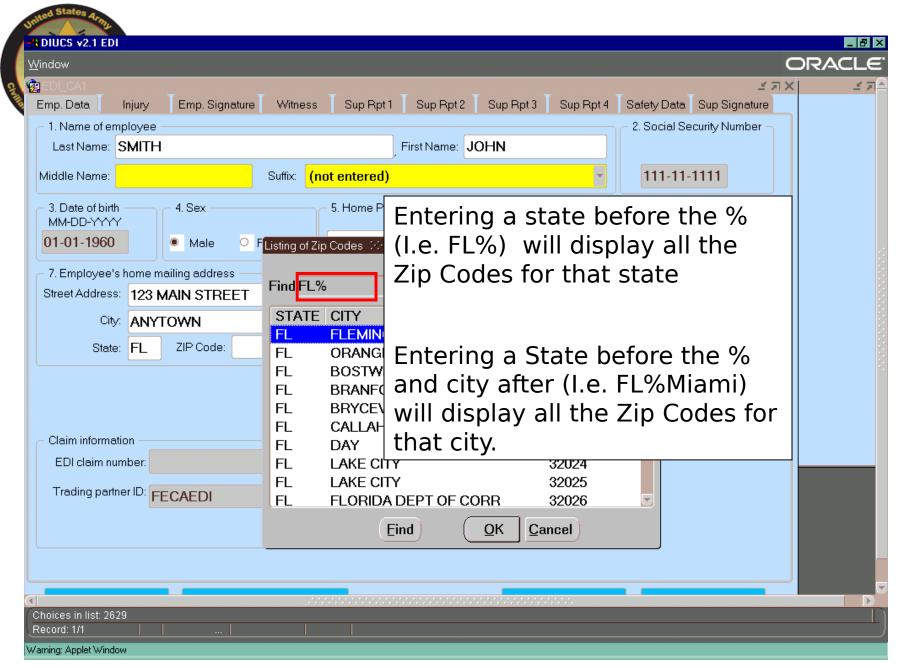


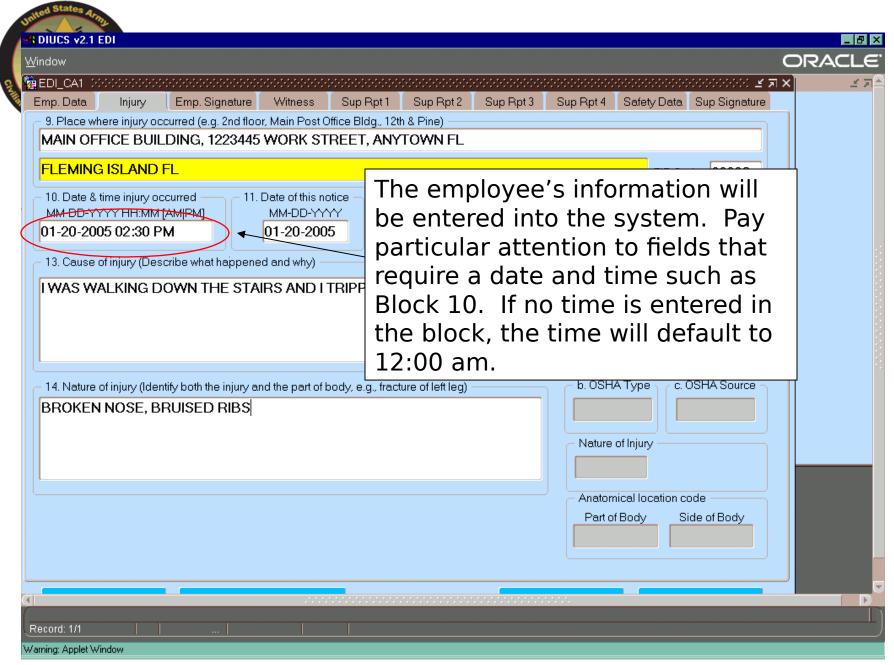


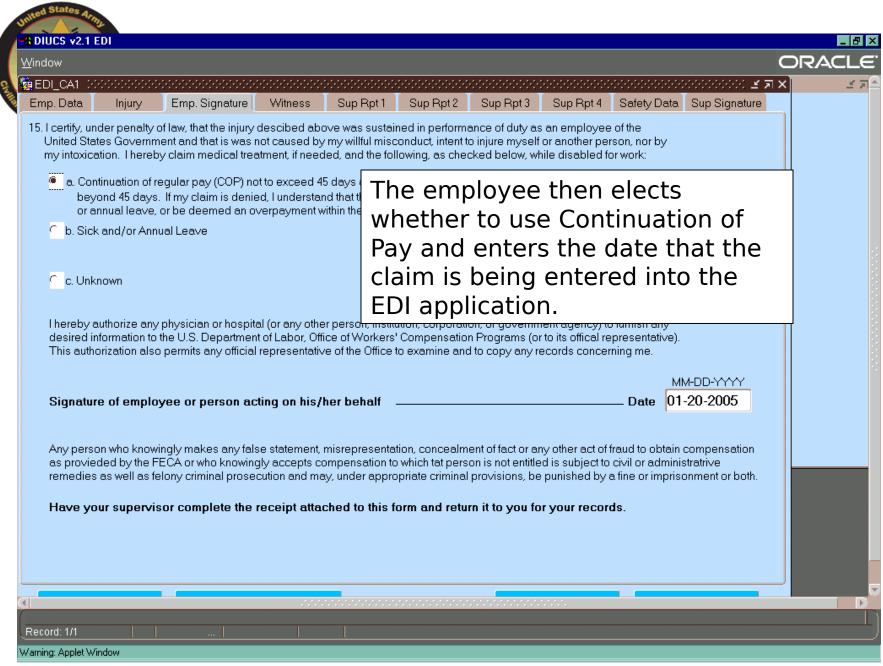


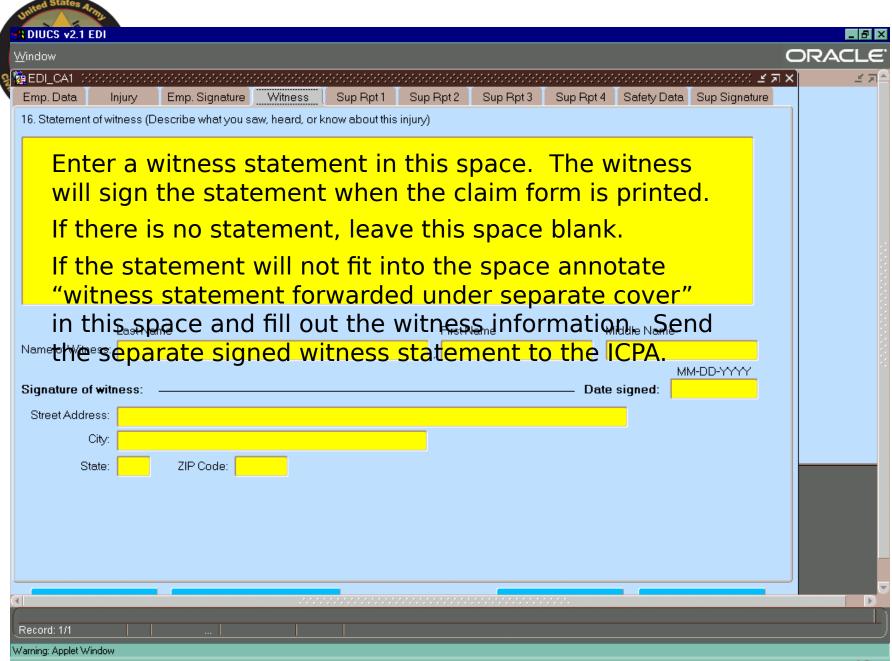


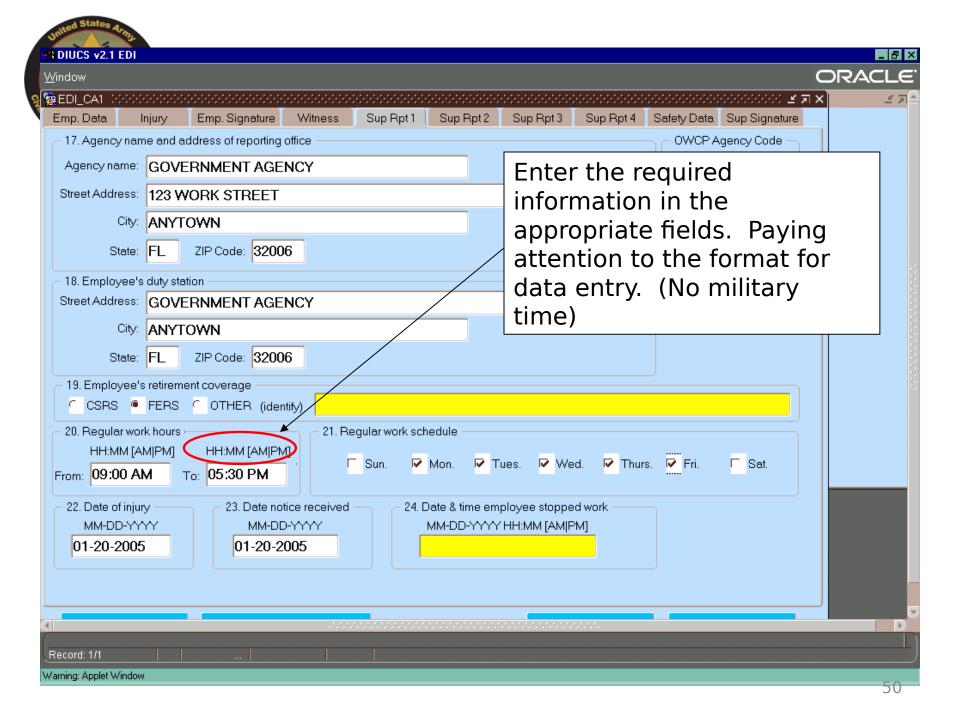


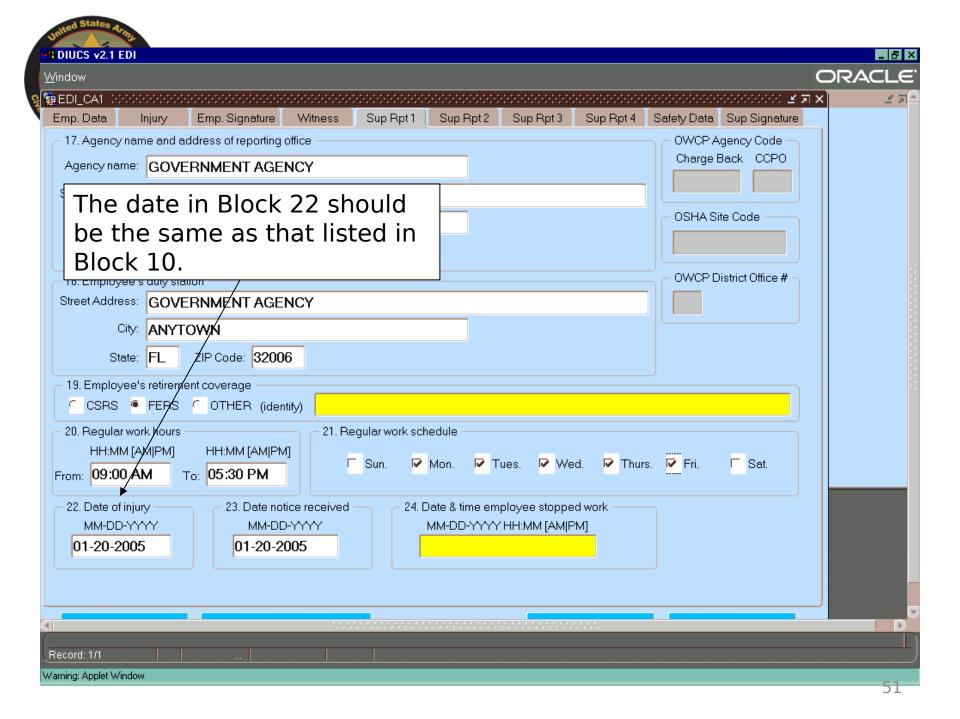


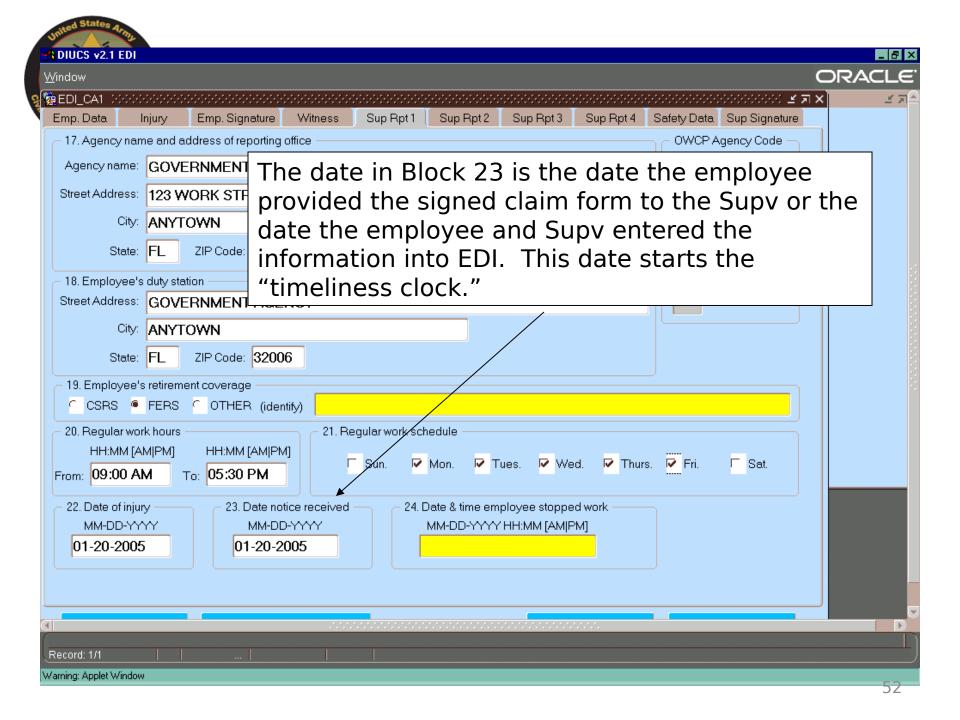


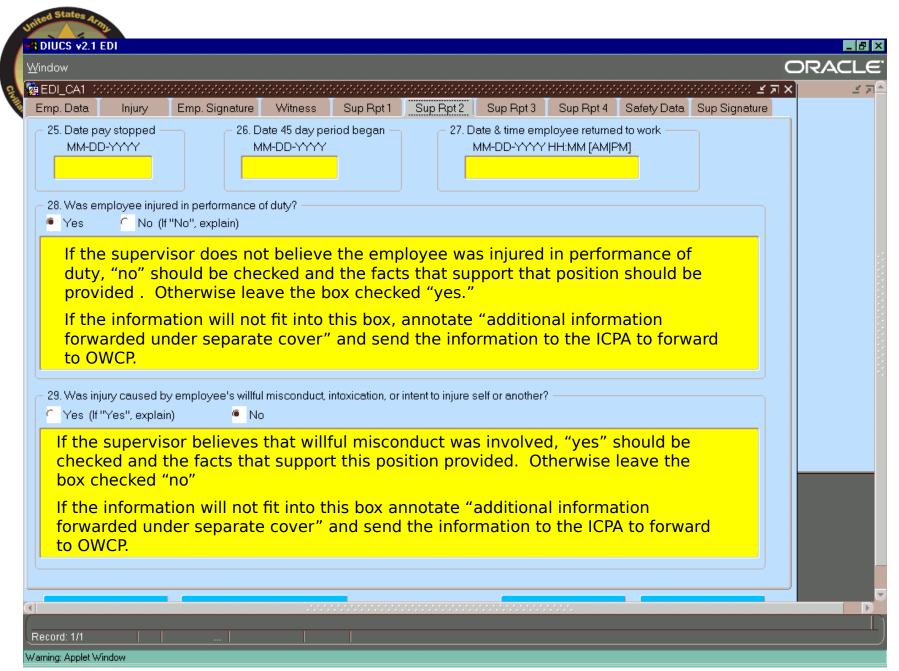


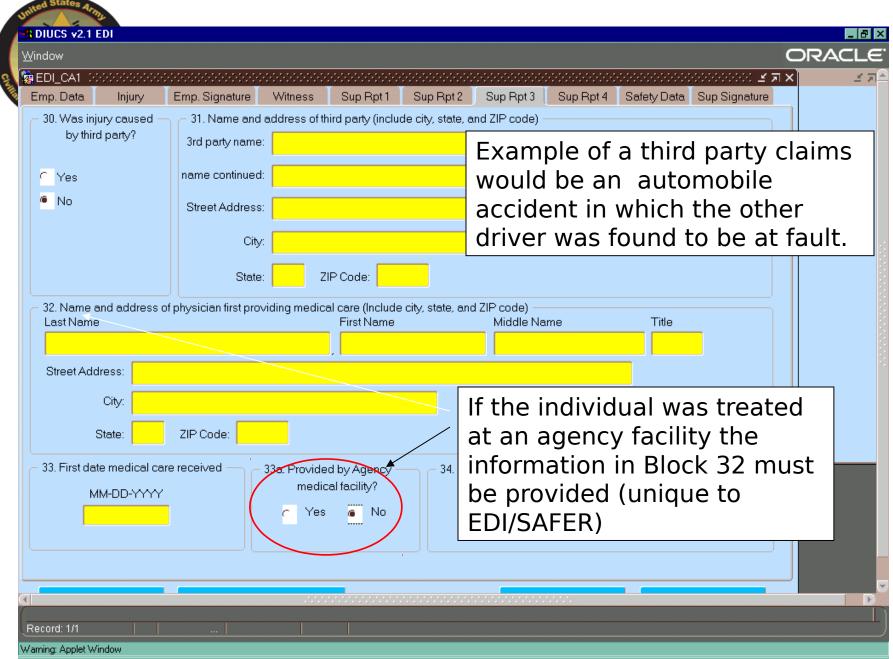


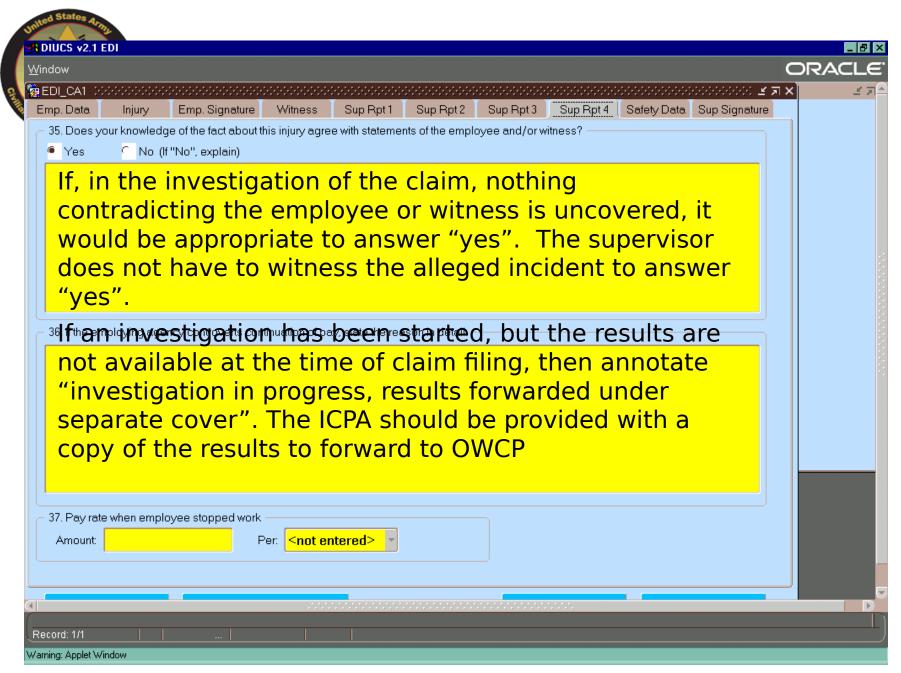


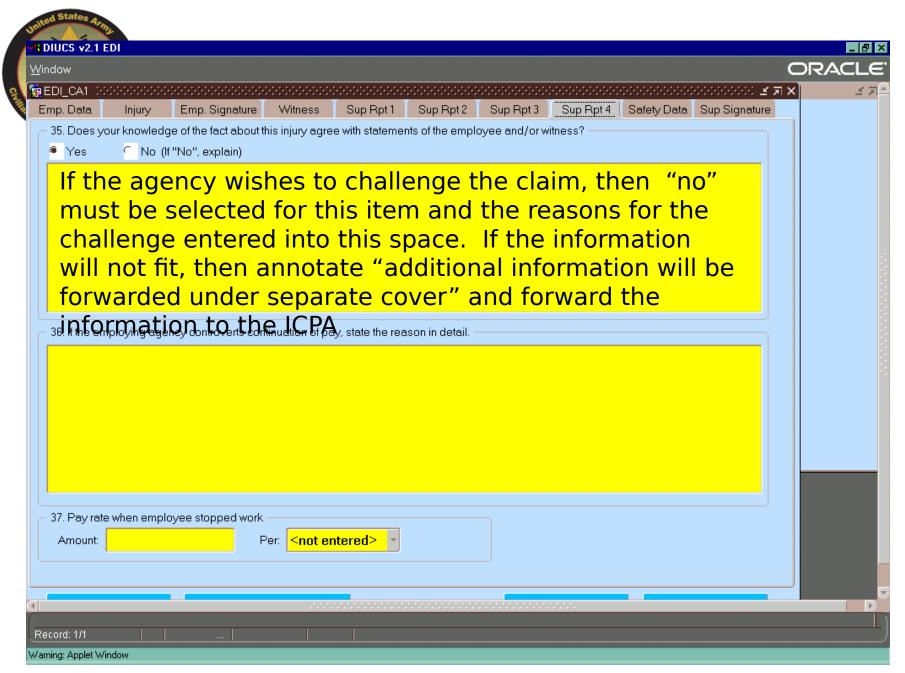


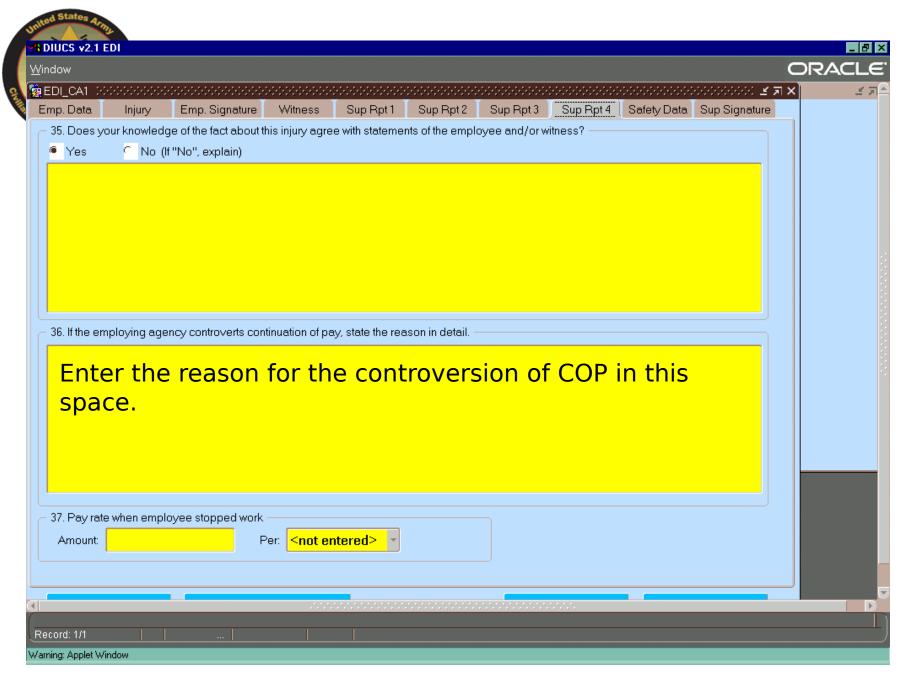


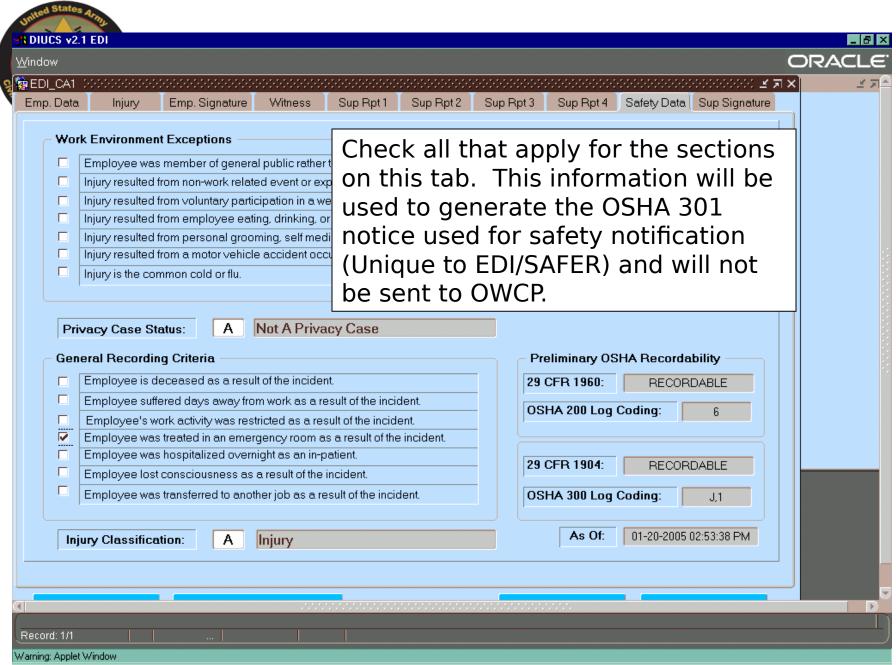


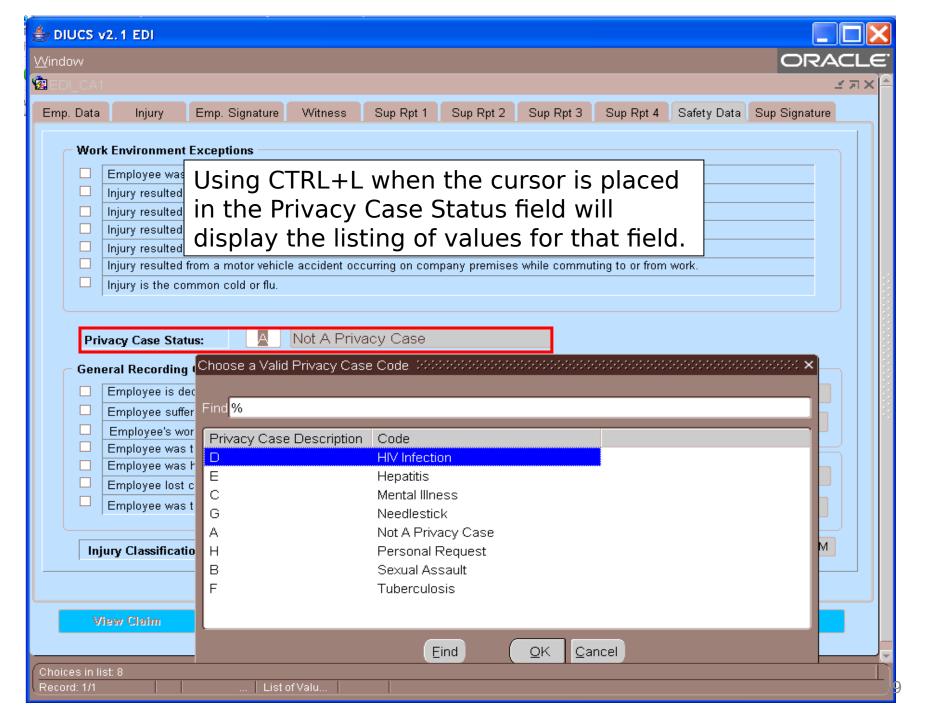


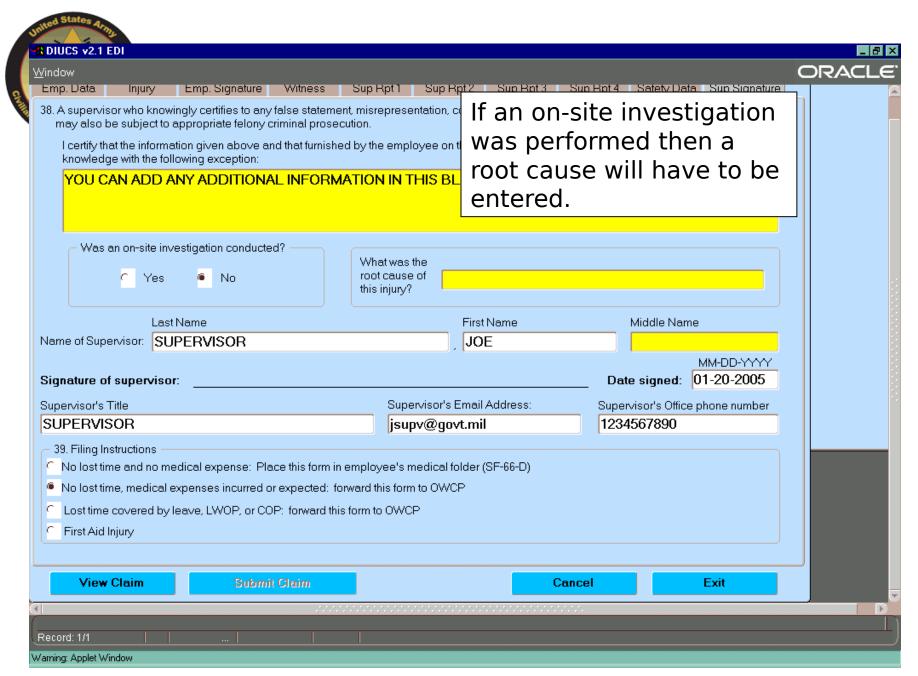


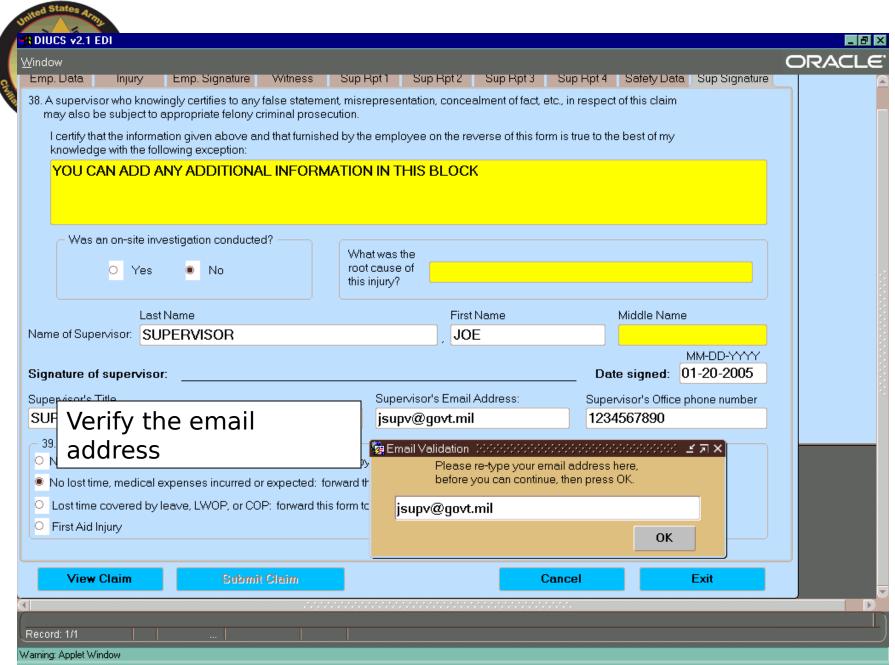


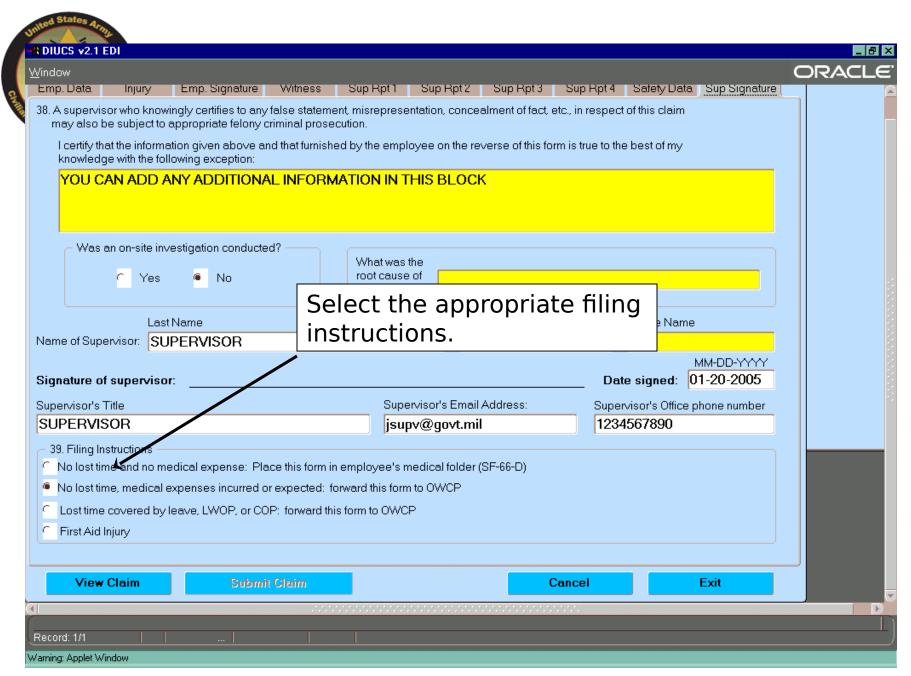


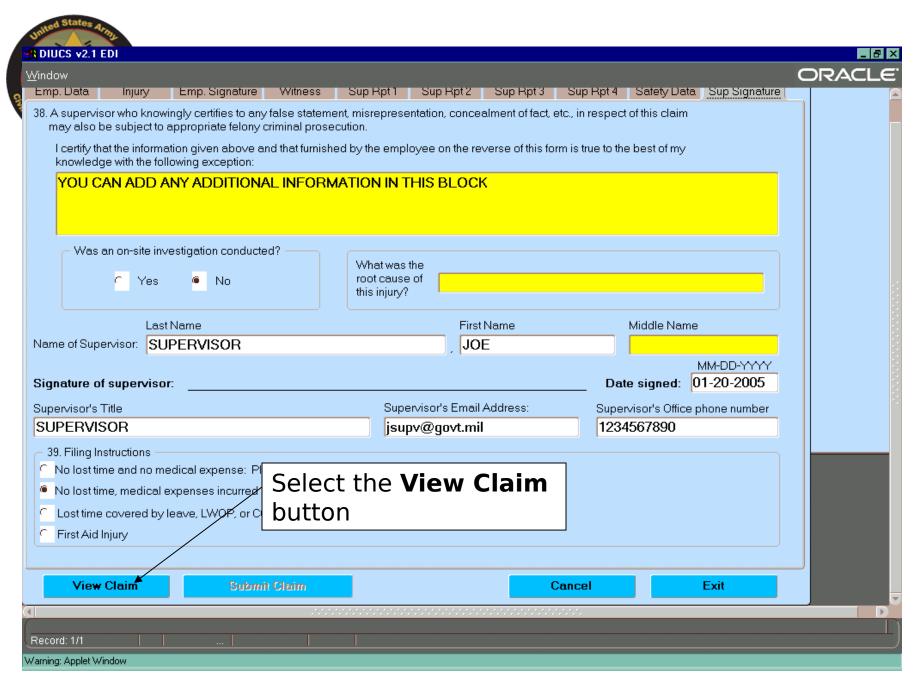


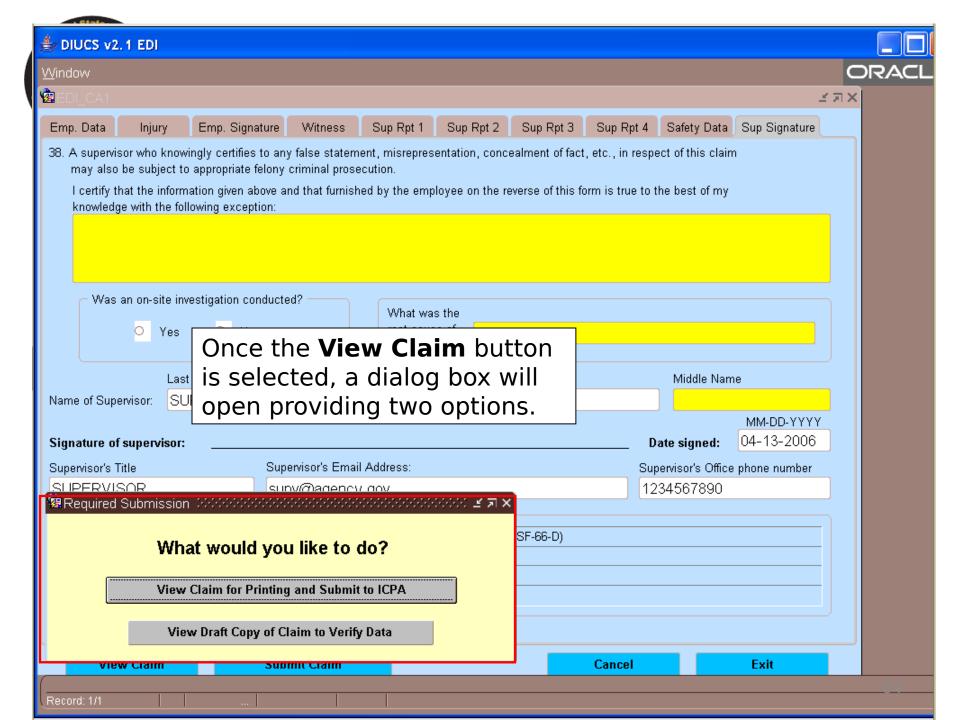


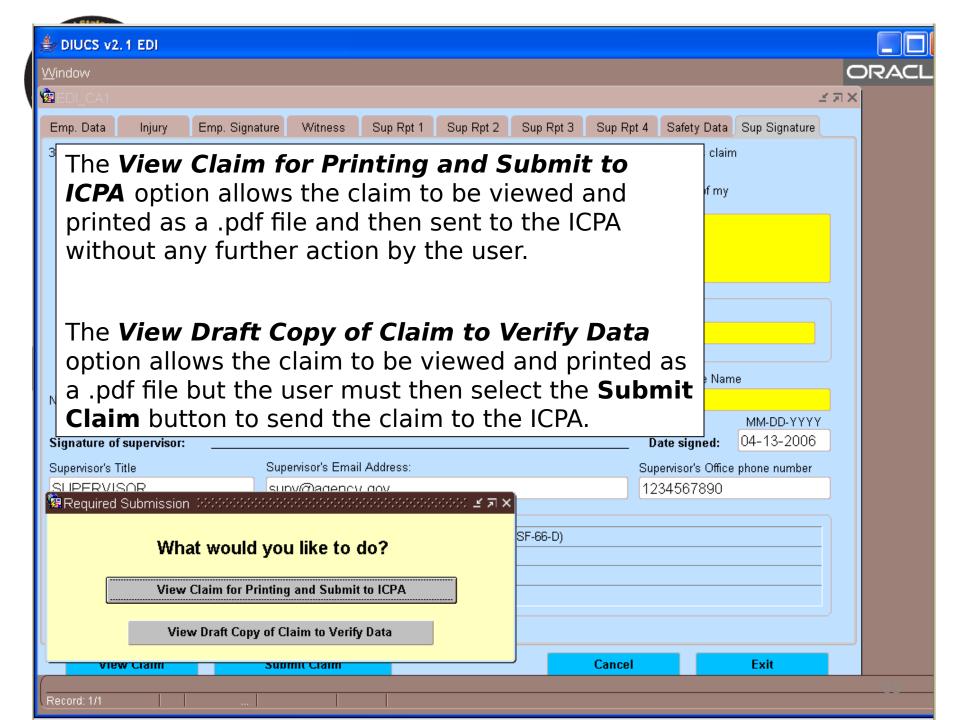


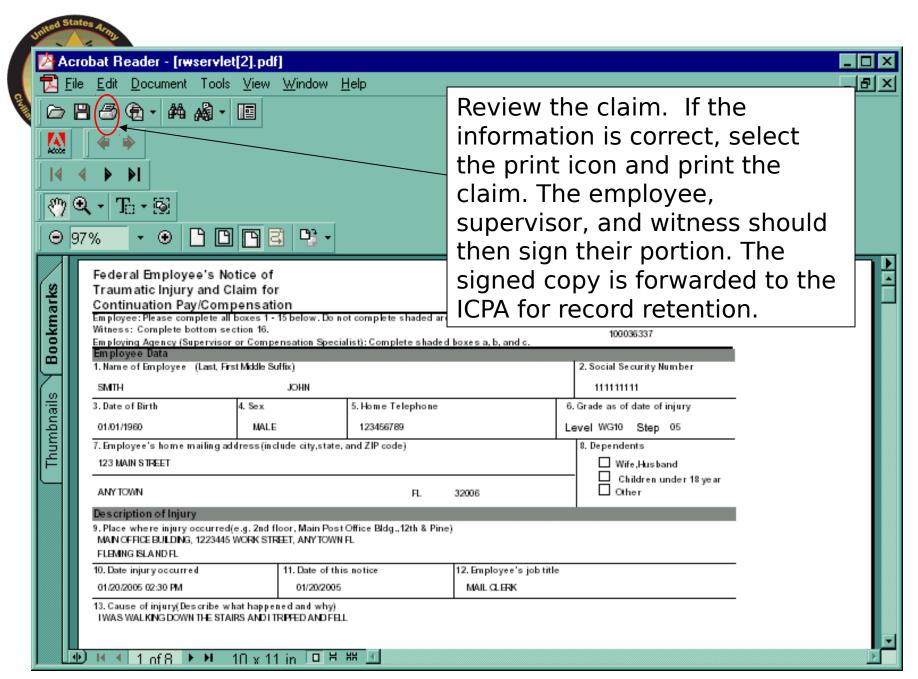


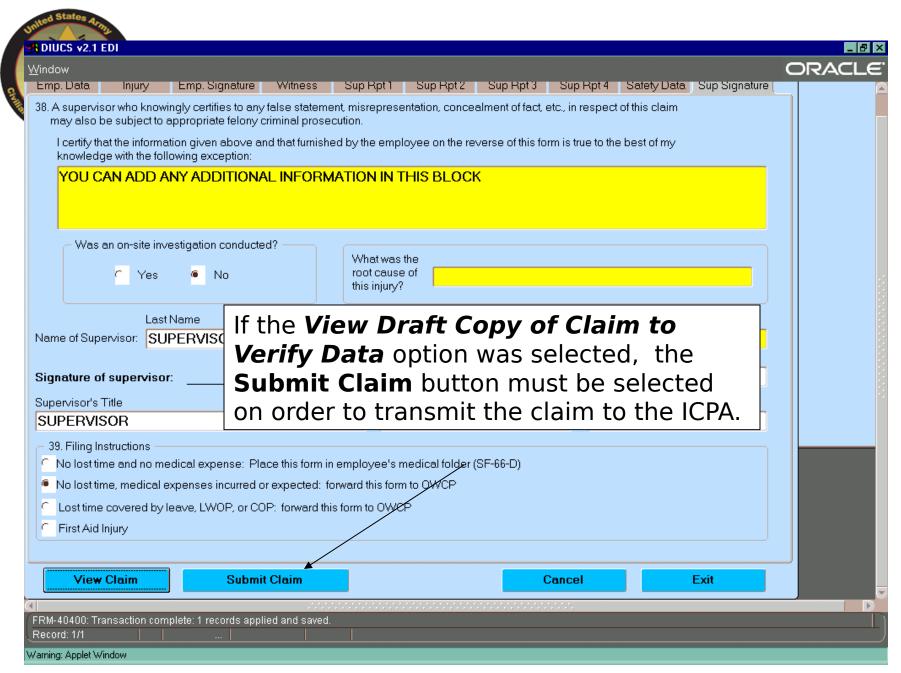














Summary Of Supervisor Actions

- Supervisor selects the "Filing Claims Electronically" link on the CPMS website: http://cpms.osd.mil/icuc
- Supervisor enters the SSN and Date of Birth of the employee and selects whether a CA-1 or CA-2 will be filed
- Employee information is entered onto the form
- Witness information is entered (if applicable)
- Supervisor enters required information in Supv portion of the form
- The form is printed. The employee, witness and supervisor sign their respective sections.
- "Submit Claim" button is selected and claim is sent electronically to the ICPA.
- Signed claim form is sent to the ICPA to be retained in the file



More information

- Contact your ICPA (Injury Compensation Program Administrator, located in the CPAC office
- Search PERMISS under OWCP & FECA
- DOD instruction 1400.25 M, subchapter 810
- Dept. of Labor's web site:

www.dol.gov/esa/regs/ompliance/owcp/feca cont.htm